

**Sec. 49-242. Limitation on water features for commercial users, new industrial users and common areas of residential developments.**

(a) No person shall place into operation after February 1, 1991, any water feature that either sprays water into the air in a fine mist or sprays or drops water into the air in excess of six (6) feet in vertical height.

(b) Water features shall be:

(1) Outside of city right-of-way, not visible from the street unless approved by the water conservation office.

(2) Designed with a potable water make up. This make up supply shall include a reduced pressure principle backflow prevention assembly installed as per the current standard detail adopted by the City of Scottsdale Standards and Specification Committee. No water shall be used to supply any water feature from a landscape irrigation system.

(3) Designed with catch basins that will maximize the amount of water recycled and minimize make up water. Outdoor water features that may over-spray shall be equipped with wind shut-off valves.

(4) Designed using equipment that will minimize leakage throughout the life of the water feature.

(5) Equipped with a recirculating pump. Filtered backwash shall be reused in a beneficial manner to surrounding plant material and landscaped areas. Discharge of water into streets and alleys is prohibited.

(6) Separately metered if using more than one thousand (1,000) gallons of water per day.

(c) In addition to the provisions above, nonresidential water features shall be:

(1) Operational only during normal business hours.

(2) Sited to allow significant environmental enhancement to on-site users and used to cool surrounding area and mask objectionable noises. Allowable examples: Courtyards and restaurant seating areas not visible from the street.

(d) Any person installing a water feature must provide a water feature plan to the city and obtain a permit before commencing construction.

(e) Exclusions.

(1) Any system that injects or drops water into the air solely for the purpose of cooling a confined air space.

(2) Water parks.

(3) Single-family residential properties.

(Ord. No. 2318, § 2, 12-17-90; Ord. No. 3161, § 5, 6-15-98; Ord. No. 3409, 11-26-01; Ord. No. 3621, § 1A, 7-5-05)

**Editor's note:** It should be noted that § 5a, of Ord. No. 3621, adopted July 5, 2005, shall be effective Aug. 5, 2005.